

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 219 of the bill, line 16, strike "or" and insert "and";

On page 219 of the bill, line 17, after "and" insert "seismic-related".

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 424) was agreed to.

Mr. COCHRAN. I move to reconsider the vote by which the amendment was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 387

Mr. LEAHY. Mr. President, I notice we have been in a quorum call and realize I am not taking time from others. I thought this might be a good time to note that I am a cosponsor of the Mikulski amendment.

We all know, from the discussion we had yesterday with the distinguished Senator from Maryland and others, that the amendment makes additional visas available for aliens who wish to perform seasonal work in the United States. We are well aware of that in my State of Vermont. We are also aware of the fact that for the second year in a row the statutory cap on so-called H-2B visas was met before businesses that needed additional summer employees were even eligible to apply for visas.

This is kind of a catch-22. They are told they have to wait for a period of time to be eligible to apply for the visas, and then when the time comes, the visas are already used. It has hurt businesses across the country. This amendment would provide needed relief.

In Vermont, many hotels and inns and resorts that have a busy summer season use these visas. I have heard from dozens of these businesses in Vermont over the past year. They have struggled mightily to manage without temporary foreign labor. I know the Lake Champlain Chamber of Commerce, the Vermont Lodging & Restaurant Association, and many small businesses in Vermont are vitally concerned, and I expect similar associations and businesses in the other States are as well.

It is interesting, one of the places I have heard from is a summer business where I worked when I was working my way through college. I know even then, in our little State, to keep it open, to go forward, they needed those foreign workers.

You have a wide range of industries that use these visas. This is not a parochial issue. It is not just Vermont. I suspect the same argument, one way or the other, could be made in virtually every State. I would be surprised if there is any Senator who has not heard from a constituent who has been harmed by the sudden shortage of H-2B visas. Many of them fear they are going to go out of business altogether if Congress does not make these visas available.

Now, the amendment would not raise the cap on the program but would allow those who had entered the United States in previous years through the H-2B program to return. It seems to be a very fair, very reasonable compromise. After all, these are people, by definition, who came to the United States legally. Then, after coming to the United States legally, they returned to their own countries legally, as they are required to do. The amendment also addresses those concerns some Members have expressed about fraud.

I have been working to solve this crisis for more than a year. I joined, last year, with a very substantial coalition of both Republican and Democratic Senators in introducing S. 2252, the Save Summer Act of 2004. This was going to increase the cap on the H-2B program. Unfortunately, there was a small number of Republican Senators who opposed it, so they put a hold on it. It was never allowed to have a vote. Our constituents suffered the consequences.

This year, I have urged the Mikulski-Gregg bill, on which this amendment is based, S. 352, be considered by the Judiciary Committee without delay. It is a bipartisan bill. It deserves to win a broad majority in this body. But this is not one of these things we can talk about and delay and delay and delay on throughout the spring and summer. Many of these businesses, if they are even going to open their doors, if they are going to stay in business this year, need the relief today.

Most of them are small businesses. An awful lot of them—I know the owners in my State; I suspect Senator GREGG from New Hampshire knows them in his State—are people who work very hard, with 80- and 90-hour weeks. They are sort of mom-and-pop operations. They own their businesses, and they need this seasonal help or they go out of business. If they go out of business, the other people they hire year-round are out of a job, and the local community has lost a significant place.

We should move forward. These are people relying on us. I do not know the politics of any of these people. I do not care. They are relying on us to help keep their businesses afloat.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 427

Mr. DURBIN. Mr. President, those following the debate on the floor understand we are considering the supplemental appropriations bill that deals with the war in Iraq and Afghanistan, the tsunami relief, and some other very important elements. I understand there are pending amendments and also an effort to reach an agreement about how future amendments will be offered. So even though I will not be offering an amendment at this time, I would like to say a few words about an amendment which I plan to offer as soon as an agreement is reached and to alert my colleagues and those following the debate what we are seeking to achieve.

This amendment, which I am proud to cosponsor with Senator KENNEDY and Senator LEVIN, relates to troop training in Iraq. I thank the chairman and ranking member for their hard work on the bill. I believe it is imperative we continue to support our troops and address other emergencies in the world, including the devastating tsunami that swept across the Pacific right after Christmas.

We fully support our troops. We also want to see them come home. Training Iraqi troops to take the lead in Iraq is critical to our success in that country and to getting our service men and women back where they belong—with their families at home. Therefore, we are offering an amendment today to measure our progress toward that goal.

In this bill, the Senate is appropriating \$5.7 billion for the Iraqi Security Forces Fund. The accompanying committee report states:

The funds shall be available to train, equip, and deploy Iraqi security forces as well as provide increased counterinsurgency capabilities.

That is certainly very good. Our troops cannot come home until Iraqi forces can hold their own.

When I was in Iraq just a few weeks ago, General Petraeus took us from the Baghdad airport to a training field nearby, where we saw about 12 Iraqi soldiers who were masked to hide their identity for fear of retribution from their fellow Iraqis as they went through training drills.

I have not been in the military. I can't grade these troops as to their progress. It certainly appeared that they were learning important skills. How many troops in Iraq are reaching that level of competence, I can't say. That is the purpose of the amendment.

Iraqi forces and police must be able to take the lead in conducting counterinsurgency operations. They must be able to protect their own borders, safeguard civilian populations, uphold and enforce the rule of law. When I met with General Petraeus, he said he believed he was making progress toward that goal, but I think